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P 161820Z DEC 09 ZUI RUEHSD 0064W 3510345 H/W ZDS/ZDK  
FM AMEMBASSY FREETOWN  
TO RUEHC/SECSTATE WASHDC PRIORITY 3054  
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INFO RHMFISS/HQ USAFRICOM STUTTGART GE

C O N F I D E N T I A L FREETOWN 000496

C O R R E C T E D C O P Y (CHANGING CABLE CLASSIFICATION)

SIPDIS

E.O. 12958: DECL: 12/16/2019  
TAGS: [EFIS](#) [PREL](#) [PGOV](#) [MARR](#) [SL](#)  
SUBJECT: SIERRA LEONE AMLEP MISSION RESULTS IN FOUR SEIZURES  
REF: FREETOWN 344

Classified by PD Officer Danna Van Brandt for reason 1.4(b)

¶1. (U) SUMMARY: An Africa Maritime Law Enforcement Partnership (AMLEP) operation December 6-14 resulted in four fishing vessels seized by Sierra Leonean authorities in conjunction with the U.S. Coast Guard and Navy. The operation built on a previous AMLEP conducted in August (reftel), and provided lessons for follow-on operations planned for 2010. The seized vessels appear to be from China (1), Sierra Leone (1), and Ghana (2), but the registrations and ownership were not entirely clear for some vessels, and all four masters were ethnic Chinese. Fines could exceed one million dollars, and the cooperative effort garnered high public praise from the Government of the Sierra Leone for the United States during a televised press conference at the conclusion of the mission.

#### The Present

¶2. (U) The United States Navy ship Samuel B. Roberts conducted an Africa Maritime Law Enforcement Partnership (AMLEP) operation through the Africa Partnership Station (APS) December 6-14 in the Exclusive Economic Zone (EEZ) of Sierra Leone's territorial waters. It was the second such operation of its kind here, following up on lessons from the seizure of the Yu Feng 102 during the AMLEP in August 2009. The Navy and embarked United States Coast Guard personnel supported the Sierra Leone Maritime Wing in boarding five vessels for inspections; violations found were sufficient to seize four. The embarked Sierra Leone team included personnel from the Maritime Wing, Fisheries Ministry, and the Sierra Leone Police, as well as a member of the Anti Corruption Commission and a Sierra Leonean journalist to ensure transparency and accountability. The vessels seized include:

--F/V Min Yu, PRC, appeared to be rigged as a shrimping vessel. IMO number 8843733. Detained for fishing in waters shallower than 15 meters (found casting nets in 11 meter waters) and other violations. Ten Chinese and eight Sierra Leonean crew embarked.

--F/V Bokjori, Sierra Leone (verbal claim). Detained for using nets with improper mesh size, and other violations. Six Chinese and twenty Sierra Leonean crew.

--F/V See God I and F/V See God II, Ghana or China. Detained for pair trawling, nets with improper mesh size, and other violations. F/V See God I had a home port of Takoradi, China written on a safety equipment inspection form; eight Chinese, four Sierra Leonean (one an observer), and fourteen Ghanaian crewman were on board. Detected at dusk, the boats attempted to outrun the U.S. Navy frigate, but were seized the next morning. The boats were originally reported to be Ghanaian, but have no clear registration.

¶3. (U) The four vessels were escorted to Freetown and put under the custody of police officials; they are now at anchor off the Maritime Wing headquarters in Murraytown (an area of Freetown). The crews remain on board. The U.S. Navy team estimated the fines for those violations at USD 1.3 million, but this could go higher depending on other findings.

¶4. (C) The final aspect of the operation was a "hotwash" or after action review (see paragraph 7) for the morning of December 14; the Embassy had planned a joint U.S.-Sierra Leone press conference to immediately follow. The Maritime Wing had initially agreed to host, and expected approval from superiors for this proposal. Instead, on Sunday night, December 13, President Koroma summoned the Minister of Presidential Affairs, Joseph Koroma, the Minister of Fisheries, Hafsatu Kabbah, and the Minister of Justice and Attorney General, Abdul Serry-Kamal, to a meeting and canceled the press conference. According to the British High Commissioner, the meeting was called to settle a disagreement between Kabbah and Minister of Defense Palo Conteh about who should get the public credit for the seizures. The President rescheduled the press conference for Monday afternoon at the Ministry of Information and Communication. COMMENT: The President may also have wanted to contain any embarrassment at the fact that, according to a UK/IMATT source, the Sierra Leonean maritime wing had boarded a total of 30 vessels in the previous three months and seized none. In contrast, during this one-week operation, five vessels were boarded and four seized. END COMMENT

¶5. (U) Monday afternoon's press conference was presided over by the Ministers present at Sunday's meeting as well as the Minister of Defense and the Minister of Information and Communication, Ibrahim Kargbo. Each of the five ministers praised the U.S. Embassy, Coast Guard, Navy, and IMATT (a UK-led military advisor group) for their assistance and

Wing's inability to conduct such operations independently, and requested material assistance in that regard. The Minister of Fisheries pleaded for additional operations of this type. The Minister of Justice/AG, who played an obstructionist role in August's AMLEP with the USCG LEGARE, noted that mistakes made previously would not be repeated in this case. The Minister of Presidential Affairs noted President Koroma's strong support of this mission, and his commitment to see that the violators would be prosecuted to the fullest extent of the law.

#### The Past

¶6. (C) The remarks from the notoriously corrupt Minister of Justice/AG's were a surprise only in that he took some blame and responsibility; indeed the seizure of the Yu Feng 102 in August, 2009 uncovered numerous weaknesses in Sierra Leonean procedures. The catch, 17 tons of tuna and 2 tons of shark fin--valued between USD 300,000 to 500,000--was held on board by order of the Minister of Justice/AG, likely in collusion with the ship's owners. It appears a deal was struck to pay a paltry USD 140,000 fine for the release of the boat and crew. When the media revealed the agreement the next day, and the embassy passed to the President that the law required the boat and catch be forfeit, the plea bargain was set aside on "technical" grounds. The catch was never offloaded, however, and eventually left to rot. The crew was handled oddly as well: not all were initially arrested, creating two court cases, with some forgotten on the boat while some were in prison (five, including the commander, are now on board). Final court decisions assessed fines in excess of two million dollars and forfeiture of the boat. The Yu Feng case may provide some good lessons but it is different, as the boat was unlicensed. Less stringent criteria apply to the above seizures, all of whom were licensed.

#### The Future

¶7. (C) The hotwash following the completion of the operation

compiled the following recommendations:

-- A Chinese linguist would help future missions as all the masters on the seized vessels were of Chinese origin,

-- An additional Sierra Leonean boarding team should be included so that teams could alternatively board and escort seized vessels to shore,

-- Sierra Leone should refine administrative procedures to ensure that boarding vessels collect and provide the information necessary to ensure successful prosecution, and

-- Sierra Leone should institute a program of dockside inspections. COMMENT: Due to Sierra Leone's limited ability to monitor or enforce maritime law in deep waters, dockside inspections would enable them to fine vessels for violations like improper nets and fishing licenses prior to the vessels commencing fishing operations. END COMMENT

18. (C) Additional recommended operational measures for the next AMLEP include flying the Sierra Leone boarding team to meet the ship in Dakar to start the operation with an element of surprise, and allocating aerial surveillance assets.

19. (C) COMMENT: Despite worries that the originally-planned press conference may have been canceled out of embarrassment, the GoSL came through with a remarkable show of support, gratitude, and respect for U.S. assistance. Rarely do press conferences include such a cadre of cabinet-level officials, and even more rarely do such events highlight the assistance of a particular donor. The United States was praised for its results-oriented approach, and won considerable appreciation and respect from the host Government and some popular good will. It remains to be seen if the goodwill and gratitude shown at the press conference will translate into legitimate follow-through within the Sierra Leone legal system, but it is certainly a good start. Following-on to the December 7-11 visit of a delegation of Coast Guard lawyers, engagements such as these go a long way to deepen not only the U.S.-Sierra Leone military relationship, but the bilateral political relationship as well. END COMMENT

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